IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.70650-M of 2006

DATE OF DECISION: NOVEMBER 13, 2006

Panna Lal

...PETITIONER

VERSUS

State of Punjab and others

...RESPONDENTS

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr.L.S.Goraya, Advocate,
for the petitioner.

...

The petitioner, who is a Sarpanch of Gram Panchayat Perambag, has filed this petition under Section 482 Cr.P.C. for issuing directions to respondents No.2 and 3 for registration of a criminal case under Sections 447/448 IPC as well as under Sections ¾ of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) against respondents No.4 to 8, who are residents of the same village, on the ground that they are obstructing the work of the Gram Panchayat of digging the pond.

After hearing the counsel for the petitioner and going through the complaint (Annexure P1) on the basis of which the FIR is sought to be registered, I do not find the instant case as an exceptional case for issuing direction in the instant case as in my opinion the petitioner has an alternative remedy as has been so held by this Court in ***Mithlesh Kumari v. State of Punjab***, 2002 (4) RCR (Criminal) 541 and by the Hon'ble Supreme Court in ***Gangadhar Janardan Mhatra v. State of Maharashtra and others***, (2004) 7 SCC 768 and ***Minu Kumari and another v. State of Bihar and others***, (2006) 4 SCC 359.

Dismissed.

November 13, 2006 (SATISH KUMAR MITTAL)
vkg JUDGE